

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

&

THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

THURSDAY, THE 13TH DECEMBER 2007 / 22ND AGRAHAYANA 1929

LA.App..No. 1265 of 2000(A)

LAR.211/1995 of PRINCIPAL SUB COURT, NORTH PARAVUR

APPELLANT:

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1. AYYAPPAN KOCHAYYAN, S/O. AYYAPPAN,
MANAYAPPATTU HOUSE, BRAHMAPURAM, PUTHENCROUZ (DIED)
 2. KARTHIYANI, W/O. LATE KOCHAYYAN, MANAYAPPATTU HOUSE,
BRAHMAPURAM, PUTHENCROUZ.
 3. SANKARANKUTTY, S/O. LATE KOCHAYYAN, MANAYAPPATTU HOUSE,
BRAHMAPURAM, PUTHENCROUZ.
 4. ACHUTHAN, S/O. LATE KOCHAYYAN, MANAYAPPATTU HOUSE,
KANINARU KARA, PUTHENCROUZ.
 5. SUBRAMANIAN, S/O. LATE KOCHAYYAN, MANAYAPPATTU HOUSE,
PINARMUNDAKARA, PERINGALA, KUNNATHUNADU VILLAGE.
 6. PARTHAN, S/O. LATE KOCHAYYAN, MANAYAPPATTU HOUSE,
BRAHMAPURAM, PUTHENCROUZ.
 7. SIVADAS, S/O. LATE KOCHAYYAN, MANAYAPPATTU HOUSE,
BRAHMAPURAM, PUTHENCROUZ.
 8. NANDINI, D/O. LATE KOCHAYYAN, MANAYAPPATTU HOUSE,
BRAHMAPURAM, PUTHENCROUZ.

BY ADV. SRI.T.K.KOSHY
RESPONDENTS:

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1. STATE OF KERALA, REP. BY CHIEF SECRETARY,
GOVT. SECRETARIAT, TRIVANDRUM.
 2. KERALA STATE ELECTRICITY BOARD, REP. BY ITS SECRETARY,
VYDHYUTHI BHAVAN, PATTOM, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER SMT.K.R.DEEPA.

THIS LAND ACQUISITION APPEAL HAVING BEEN FINALLY HEARD
ON 13/12/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

L.A.A.No.1265 OF 2000

Dated 13th December, 2007.

J U D G M E N T

Kurian Joseph, J.

Government Pleader takes notice.

2. This is an appeal directed against the judgment and decree in LAR 211/95 on the file of the Sub Court, North Paravur. The acquisition is for the purpose of 220 KV Sub Station at Brahmapuram. It is brought to our notice that in connected matters, this court has sustained the land value at the rate of Rs.1,952/- per Are, for category 11. The property in this case is under category 11. Therefore, this appeal is allowed, holding that the appellants shall be entitled to have the land value fixed at Rs.1,952/- per Are. The amount already deposited shall be duly adjusted. Needless to say that the appellants will be entitled to all the consequential benefits, including interest on solatium. In

view of the judgment of this court in LAA 485/97 and connected cases, the date of Section 4(1) notification shall be taken as 18.7.1989, for the purpose of the statutory benefits.

KURIAN JOSEPH, JUDGE.

HARUN-UL-RASHID, JUDGE.

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**KURIAN JOSEPH &
HARUN-UL-RASHID, JJ**

L.A.A. NO.1265 OF 2000

J U D G M E N T

Dated 13th December, 2007.